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OFFICE OF PETITIONS

In re Application of
Peter G. Mikhail
Application No. 09/954,801
Filed: September 18, 2001
Title of Invention: LOCATION SENSING
CAMERA

ON PETITION

This is a decision on the request for reconsideration filed March 24, 2006, under 37 CFR 1.181, to withdraw the holding of abandonment for the above-identified application.

The petition under 37 CFR 1.181 is **GRANTED**.

The application was held abandoned on July 23, 2004, for failure to file a timely reply to the Final Office Action mailed April 22, 2004. A three month period for reply was set. Accordingly, a Notice of Abandonment was mailed on October 26, 2004. A petition filed December 14, 2004 was dismissed in a decision mailed January 26, 2006 because petitioner had not established a showing of non-receipt of the office action mailed April 16, 2004.

Comes now petitioner, a pro-se applicant with additional evidence which, while it is not tantamount to a formal docketing system, does show the procedures used for retrieving, handling and filing mail received from the USPTO.

In that the statement from the petitioner shows how he diligently handles mail from the USPTO and is indicative of non-receipt of the office action due to no fault of the petitioner, it is concluded that the Final Office Action was never received at the address of record. Accordingly, the holding of abandonment is withdrawn and the Notice of Abandonment is vacated. No petition fee is due and none has been charged.

The file is being forwarded to Technology Center 2851 for the re-mailing of the Final Office Action originally mailed on April 22, 2004. Telephone inquiries concerning the re-mailing of the Final Office Action should be referred to the Technology Center. All other inquiries regarding this decision may be directed to the undersigned Petitions Attorney at (571) 272-3212.

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